IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

TUESDAY, THE 6TH NOVEMBER 2007 / 15TH KARTHIKA 1929

WP(C).No. 18307 of 2007(D)

PETITIONER:

K.JOSEPH RAJEEVAN, S/O. JOSEPH,
KALATHILPARAMBIL, PUTHUVYPPU,
ERNAKULAM DISTRICT.

BY ADV. SRI.SASTHAMANGALAM S. AJITHKUMAR
SRI.RENJITH B.MARAR
SRI.PRABHU VIJAYAKUMAR
SMT.LAKSHMI RENJITH
SRI.JOJO VARGHESE

RESPONDENTS:

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1. REGIONAL PASSPORT OFFICER,
PASSPORT OFFICE, PANAMPILLY NAGAR, KOCHI.

2. SUB INSPECTOR OF POLICE,
NJARAKKAL POLICE STATION.

R2 BY G.P. SRI.M.R.SABU

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 06/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

P1: TRUE COPY OF PASSPORT OF THE PETITIONER.

P2: TRUE COPY OF NOTICE DT.29.1.2002 ISSUED TO PETITIONER BY R1.

P3: TRUE COPY OF REPRESENTATION DT.1.4.2002 SUBMITTED BY PETITIONER BEFORE R1.

P4: .DO. DT.15.10.2004 .DO.

P5: TRUE COPY OF NOTICE DT.16.11.2004 ISSUED TO PETITIONER BY R1.

P6: TRUE COPY OF REPRESENTATION PREFERRED BY PETITIONER BEFORE R1.

P7: TRUE COPY OF APPLICATION PREFERRED BY PETITIONER BEFORE THE JFCM-1, KOCHI.

TRUE COPY

PA TO JUDGE

ANTONY DOMINIC, J.

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W.P.(C) No.18307 of 2007

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Dated this the 6th day of November, 2007.

JUDGMENT

Aggrieved by Ext.P2 communication from the first respondent, petitioner surrendered his Passport bearing No.E0051049 dated 24.10.2001. According to the petitioner, despite having surrendered the Passport as early as in 2002, the same has not been returned so far. Learned Government Pleader on instruction submits that petitioner was called upon to surrender the Passport for the reason that Crime No.280/1996 was registered against him at Njarakkal Police Station. According to learned Government Pleader though the case was charge-sheeted as CC No.414/1997 before the Judicial First Class Magistrate Court, Kochi, the case has been closed long ago. Petitioner submits that in fact the case was referred by the Police based on a compromise entered into between parties.

2. Whatever be the manner in which the case was closed, fact remains that there is no case against him presently. If that be so, I see no justification for retaining the Passport of the petitioner. In view of this, I dispose of this W.P. directing that the petitioner may move the first respondent for releasing the Passport and in which event, taking into

account the facts stated above the first respondent will pass orders as expeditiously as possible and at any rate, within four weeks of date of receipt of copy of this judgment.

ANTONY DOMINIC
Judge

pms